

## **Small Business Regulatory Fairness Board**

### **Small Business Impact Statement\***

**Rule Number:** 10 CSR 10-6.110; Submission of Emission Data, Emission Fees and Process Information

**Name of Agency Preparing Statement:**

Department of Natural Resources: Air Conservation Commission

**Name of Person Preparing Statement:**

Ron Jeffries

**Name of Person Approving Statement:**

Doyle Childers, Director of Natural Resources

**Please describe the methods your agency considered or used to reduce the impact on small businesses** (examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating technique).

Annual adjustments in the emissions fee help ensure that small businesses do not pay more than their share to fund the department's Air Pollution Control Program efforts to protect the air quality throughout the state

**Please explain how your agency has involved small businesses in the development of the proposed rule.**

Even though no new requirements were developed for this rulemaking, small businesses have had the opportunity to be involved with the development of this rulemaking through the Air Program Emission Fees Workshop composed of industry representatives and Air Program staff. Small businesses will have additional opportunities to comment on this rulemaking at least 30 days prior to a public hearing. After the proposed rule amendment is filed with the Secretary of State's Office, a public notice for this rulemaking will be published in the *Missouri Register* and seven newspapers with general circulation throughout the state. The proposed rulemaking will also be presented at public hearing and comments will be accepted for 7 days after the public hearing. Any comments received prior to the close of the public comment period will be considered and addressed prior to filing the final order of rulemaking.

**Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.**

There are no costs to the agency associated with this rulemaking. The emissions fees collected in the Air Pollution Control Program will be used to pay

for program administration and staffing levels required to ensure compliance with emission limit requirements so that the health and welfare of Missouri's citizens, in particular children and the elderly, will be maintained.

**Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.**

Small business that notifies and accepts permit-by-rule is required to obtain a construction permit or operating permit, is required to file an Emission Inventory Questionnaire (EIQ), or is required by the staff director to prove its potential emissions are below *de minimis* will be affected by this rulemaking.

**Please list direct and indirect costs (in dollars amounts) associated with compliance.**

This amendment will establish the emissions fee for Missouri facilities at \$35.50 per the of regulated air pollutant emitted starting with calendar year 2005. This proposed emissions fee represents an increase from the \$33.00 emissions fee established for calendar year 2004.

**Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.**

Small business that notifies and accepts permit-by-rule is required to obtain a construction permit or operating permit, is required to file an Emission Inventory Questionnaire (EIQ), or is required by the staff director to prove its potential emissions are below *de minimis* will be affected by this rulemaking. Annual adjustments in the emissions fee help ensure that small businesses do not pay more than their share to fund the department's Air Pollution Control Program efforts to protect the air quality throughout the state.

**Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?**

Yes\_\_\_ No\_\_X\_\_

**If yes, please explain the reason for imposing a more stringent standard.**

\*For further guidance in the completion of this statement, please see §536.300, RSMo.